

TO: U.S. DISTRICT COURT

FEDERAL COURTHOUSE

COURT CLERKS

700 STEWART ST,

SEATTLE, WA 98101

PHONE (206) 370-8400

HONORABLE JUDGE, KYMBERLY EVANSON (KKE) CHAMBERS.



AUG 12 2024
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY _____
DEPUTY

RE: CASE: 2:24-CV-00592-KKE DOCUMENT 7 FILED: 08/24/24 PAGE
1 OF 1, PLAINTIFF'S MOTION FOR RECONSIDERATION THAT THIS
COURT, VACATE [A] PREVIOUS ORDER, OR MODIFY "ORDER" DENYING
MOTION FOR SERVICE BY U.S. MARSHALS

1. PLAINTIFF'S MOTION FOR RECONSIDERATION IN ACCORDANCE WITH, U.S. DISTRICT COURT, FILING AND MISCELLANEOUS FEES, RULES OF COURT, 28 USC § 1914. FILING FEE FOR CIVIL CASE \$405.00, BUT PLAINTIFF WAS NOT GRANTED IFP STATUS UNDER 28 USC § 1915. PLAINTIFF DID HOWEVER PAY THE "FILING FEE, DOCKETING FEE" OF \$405.00 BY MONEY ORDER WITH THIS U.S. DISTRICT COURT. PLAINTIFF NOW MOTION FOR [A] COURT ORDER FOR ANY ADDITIONAL FEES PURSUANT TO, US MARSHALS TO SERVE PROCEOURAL SUMMONS AND COMPLAINT ON BEHALF OF, NON-INDIGENT PRO SE LITIGANT-PLAINTIFF, U.S. CONST. ART. 1, § 8 cl. 9.1, ... U.S. CONST. ART. 2, § 4.4.10, ... U.S. CONST. AME NOT. 14, § 1.4. ALSO, 28 USC §§ 1915, 1920, 1921 AND, FRCP. RULE. 4, 4.1(a) AND, F.R. CRIM. P. RULE. 1

2. "US MARSHALS SERVICE POLICY DIRECTIVES" THE US MARSHALS "SERVICE OF PROCESS" HOWEVER, SHOULD NOT UNDERTAKE COLLECTION OF THE ASSOCIATED USMS FEES AND, EXPENSES UNLESS HE OR SHE BELIEVES THAT SUCH COLLECTION

WOULD BE COST-EFFECTIVE. INSTEAD, THE U.S. MARSHAL SHOULD PRESENT HIS OR HER FEES AND EXPENSES FOR PAUPER SERVICE TO THE COURT "THIS COURT" AND REQUEST THAT THE COURT TAX THE FEES AND EXPENSES IN FAVOR OF THE U.S. MARSHAL'S SERVICE, 28 USC §§ 565, 567, 1921 AND 2412, 28 CFR 0.114 IN THE CASE OF [A] FAVORABLE JUDGMENT FOR THE "INDIGENT PERSON OR, NON-INDIGENT PERSON" FRCP. RULE 54 (d) OR, OTHER CIRCUMSTANCES. SUCH AS [A] SETTLEMENT, COLLECTION OF THESE FEES AND EXPENSES WOULD THEN BE POSSIBLE.

3. POLICY CALCULATION IS WARRANTED WITHIN MEANING OF, MINIMUM OR MAXIMUM FEE IN ADDITION TO THE ALREADY PAID INTO THE COURT \$ 405.00 "FILING FEE FOR CIVIL CASE", 28 USC §§ 565, 567, 1921 AND 2412, 28 CFR 0.114

4. PROCEDURES, FEES, GENERALLY WHEN SERVING PROCESS ON BEHALF OF THE DEPARTMENT OF JUSTICE AND OTHER, FEDERAL AGENCIES, INCLUDING AGENCIES ENGAGED IN COMMERCIAL LITIGATION, THE U.S. MARSHAL WILL NOT CHARGE, THE AGENCY [A] SERVICE OF PROCESS FEE EVENTHOUGH FEES ARE NOT GENERALLY CHARGED. THE U.S. MARSHAL SHOULD NEVER THE LESS RECORD ALL APPLICABLE FEES AND MILEAGE ON [A] — FORM USM-285 FOR RECORD KEEPING PURPOSES.

5. WRITE-OFF OF UNCOLLECTED CHARGES FOR PROCESSING FEES AND MILEAGE: WRITE-OFF AUTOMATICALLY IS, DELEGATED TO THE U.S. MARSHAL TO TERMINATE COLLECTION ACTIVITY FOR CHARGES IN PRIVATE CIVIL MATTERS OF — \$100 OR, LESS FOR EACH COURT CASE. [A] FORM USM-109, REQUEST MUST BE ACCOMPANIED WITH [A] DETAILED USM-286 LISTING THE CHARGE TO BE TERMINATED. UPON RECEIPT OF THE APPROVED REQUEST FROM EITHER THE U.S. MARSHAL

OF, OFFICE OF FINANCE, THE DISTRICT FISCAL PERSONNEL, WILL ENTER THE WRITE-OFF INTO AUTOMATED ACCOUNTING SYSTEM. [A] COPY OF THE APPROVED REQUEST WILL BE PLACED IN THE USM-286 FILE, TO DOCUMENT TERMINATION OF THE COLLECTION ACTIVITY. [A] SECOND COPY OF THE DOCUMENT WILL BE PLACED WITH THE CURRENT MONTH'S FINANCIAL ACCOUNTING RECORDS, . . .

a) PROCESS RECEIPT AND RETURN, FORM USM-285,

b) PROCEDURES

c) SERVICE BY CERTIFIED MAIL.

d) "BILLING FOR SERVICE", USM-285 AND, USM-286,

PURSUANT TO PLAINTIFF'S CIVIL AND CRIMINAL COMPLAINT, FRCP. RULE. 4, 4.1(a) AND 55(d) CIVIL PROCESS AND, "JUDGMENT AGAINST THE UNITED STATES." AND, F.R. CRIM. P. RULES. 4, 9 AND 57 CRIMINAL PROCESS ALSO, DISTRICT COURT RULES, TITLES 18 AND 28 U.S. CODES, COMPLAINT AND SUMMONS, METHODS OF SERVICE ON INDIVIDUALS BY STATE.

CONCLUSION

6. PLAINTIFF MOTION/MOVES THIS COURT FOR RECONSIDERATION, THAT THIS COURT VACATE ORDER, OR MODIFY "ORDER" DOCUMENT FILED, DATED: 6/24/2024, PLAINTIFF'S EXTRAORDINARY CIRCUMSTANCES WHICH ARE BASED ON THE MEMORANDUM OF CONSTITUTIONAL LAW AND, U.S. MARSHALS SERVICE POLICY DIRECTIVES. SERVICE OF PROCESS, GENERAL "REASONS" INCLUDING

NEW EVIDENCE, CORRECTING AN ERROR, PREVENTING MANIFEST
INJUSTICE, AND AN INTERVENING CHANGE IN CONTROLLI
NG LAW, GRANTING PLAINTIFFS REQUESTED RELIEF.

DATED: 7/25/2024

I DECLARE (OR CERTIFY, VERIFY, OR STATE) UNDER PENALTY OF
PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA
THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF,
MY KNOWLEDGE AND RESEARCH. EXECUTED ON 7/25/2024

John Pickering-George

JOHN PICKERING-GEORGE

CLAIMANT-PLAINTIFF

98-01 67TH AVENUE

BRUSSELS-APT. 3-D

REGO PARK

QUEENS, N.Y. 11374

(917) 673-3794

(646) 469-0087

sunshineing340@gmail.com

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN PICKERING,
Plaintiff,

v.

AMAZON.COM INC et al.,
Defendants.

CASE NO. C24-00592-KKE

ORDER DENYING MOTION FOR
SERVICE BY U.S. MARSHALS

John Pickering, proceeding *pro se*, asks the Court to order the U.S. Marshals Service to serve his complaint on the defendants. Dkt. No. 5. Mr. Pickering's motion does not contain any argument as to why he is entitled to service by the U.S. Marshals. Plaintiffs who are authorized to proceed *in forma pauperis* ("IFP") are entitled to have their summons and complaint served by the U.S. Marshal Service. Fed. R. Civ. P. 4(c)(3); 28 U.S.C. § 1915(d). Because his motion to proceed IFP was denied, Mr. Pickering is not entitled to such service. Dkt. No. 4.

Because Mr. Pickering is not entitled to service by U.S. Marshals, and because he provides the Court no other basis for granting his request, his motion is DENIED.

Dated this 24th day of June, 2024.



Kymberly K. Evanson
United States District Judge

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1. Article Addressed to:

HONORABLE JUDGE KIMBERLY
EVANSON (KKE)
U.S. DISTRICT COURT
700 STEWART ST.
SEATTLE, WA 98101



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☐ Addressee

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If YES, enter delivery address below: ☐ No

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AUG 12 2024

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